

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

CYNTHIA SWAROFF,

Plaintiff,

vs.

NANCY A. BERRYHILL, commissioner of
Social Security;

Defendant.

4:17CV3063

**FINDINGS AND
RECOMMENDATION**

Plaintiff commenced this action on May 31, 2017. ([Filing No. 1](#)). Based on the record before the Court, Plaintiff failed to serve the Defendant and Defendant has not voluntarily appeared. On August 30, 2017, the undersigned magistrate judge issued a show cause order requiring Plaintiff to show cause why this case should not be dismissed pursuant to [Federal Rule of Civil Procedure 4\(m\)](#) or for want of prosecution. ([Filing No. 9](#)). The show cause order warned Plaintiff that failure to timely comply with the order may result in dismissal of the action without further notice. The deadline for responding to the show cause order was September 12, 2017. Plaintiff did not respond. Accordingly,

IT IS HEREBY RECOMMENDED to the assigned United States District Court Judge that the above-captioned case be dismissed for failure of service and want of prosecution.

Dated this 19th day of September, 2017.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge

A party may object to a magistrate judge's findings and recommendation by filing an objection within fourteen (14) days after being served with a copy of the findings and recommendation. NECivR 72.2. Failure to timely object may constitute a waiver of any objection.